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# CIA Told To Submit Affidavit

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The Daily Orange's attempts to gain information from the Central Intelligence Agency about any involvement the agency may have with Syracuse University won partial support Tuesday from U.S. District Judge Howard G. Munson.

In a 27-page opinion, Munson ordered the CIA to submit an affidavit within 60 days demonstrating that the agency complied with federal law in "refusing to confirm or deny the existence of covert activity" at the university.

Munson also ruled, however, that the CIA was not required to turn over several documents the daily student newspaper had sought, including reports of inspection visits made by the CIA to Syracuse Research Corp. facilities and the dollar amounts of research contracts between the university and the CIA.

In December 1977, Howard Mansfield, then-managing editor of the Daily Orange, sent a request under the Freedom of Information Act to the CIA seeking information concerning Professor William Coplin, director of the Public Affairs Department in the Maxwell School of Citizenship. The newspaper wanted to know about research Coplin had allegedly done for the CIA involving "a system to predict revolutions in banana republics."

Mansfield also requested any information the agency had on "past and present relationships" between the CIA and the university, and any involvement SU may have had concerning a drug-testing program.

He also asked whether professors were "recruiting" students on behalf of the CIA and if background checks had been performed on students without their knowledge.

In a return letter, the CIA told Mansfield he should ask the university about the drug program and that the CIA could not release any information about Coplin unless the professor signed a notarized release.

The rest of his request would be processed, Mansfield was told, but there was a backlog on FOI requests.

By July 3, 1979, Mansfield and his successor as managing editor, Scot French, still had not gotten a response to the request, so they filed suit in federal court to force the CIA to process the request.

After an agreement was worked out between the Daily Orange and the CIA and approved by the court, the agency subsequently notified Gary Kelder, one of the plaintiffs' attorneys, about the existence of "overt documents."

Included in that category were 18,000 research contract documents, correspondence between the university's placement office and the CIA and a "small number" of documents concerning the "relationship" between the research corporation and the CIA.

The CIA, however, refused to "confirm or deny the existence or non-existence" of any records on "covert" relationships between it and the university, saying that to do so would violate national security.

Of the overt documents, the students were told that 17 dealt with the information they had requested.

The CIA gave the students two of those in their entirety and parts of five and withheld 10, saying those were exempt under FOI provisions. Again the agency refused to confirm or deny whether any covert documents existed.

The CIA then asked Munson to rule that no trial was needed to determine whether they had complied fully with the provisions of the Freedom of Information Act in deciding which documents the students should receive.

Munson ruled Tuesday that the issue of whether "covert" documents existed could be settled by the court and ordered the CIA to prove that it complied with federal law. For purposes of national security, only Munson will see the CIA's affidavit.

The court may also decide, Munson ruled, whether an internal CIA memorandum dated Nov. 4, 1975, is exempt under the FOIA.

The memorandum, according to court records, "refers to the names of individuals whom the agency was interested in contacting for the purpose of discussing academic programs."

Daan Braveman, a Syracuse University law professor who also represents the Daily Orange, said Tuesday that Munson's ruling "is a lot more favorable to the plaintiffs than (court) rulings in the past."

"The main brunt of the decision is not the 15 documents but that the CIA can claim it is exempt by saying it can't admit or deny the existence of documents because of national security," he said.